

**Commonwealth of Kentucky  
Environmental and Public Protection Cabinet  
Department for Environmental Protection  
Division for Air Quality  
803 Schenkel Lane  
Frankfort, Kentucky 40601  
(502) 573-3382**

**AIR QUALITY PERMIT  
Issued under 401 KAR 52:040**

**Permittee Name:** FRF, Inc.  
**Mailing Address:** 10824 US Hwy 421, Tyner KY 40486

**Source Name:** FRF, Inc.  
**Mailing Address:** 10824 US Hwy 421  
Tyner KY 40486

**Source Location:** 10824 US Hwy 421

**Permit ID:** S-08-019  
**Agency Interest #:** 84184  
**Activity ID:** APE20080001  
**Review Type:** Minor Source, Operating  
**Source ID:** 21-109-00017

**Regional Office:** London Regional Office  
875 S. Main Street  
London, KY 40741  
(606) 330-2080

**County:** Jackson

**Application**  
**Complete Date:** March 10, 2008  
**Issuance Date:** March 27, 2008  
**Revision Date:**  
**Expiration Date:** March 27, 2018



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**John S. Lyons, Director  
Division for Air Quality**

## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:040, State-origin permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining other permits, licenses, or approvals that may be required by the Cabinet or other federal, state, or local agencies.

## **SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

### **Emission Unit 01 (01)      Stain / Glaze Paint Booth**

**Description:** Stain / Glaze Paint Booth for the coating of wood furniture. Coating is applied with three (3) conventional spray applicators (air gun). The maximum coating application rate is 10 gallons per hour. The stain / glaze application operation is process limited to spraying 80 linear feet of wood per hour with a coverage rate of 223 linear feet per gallon resulting in 314 hours of spraying per year. The booth is equipped with panel filters for control of particulate emissions.

Construction Date: June, 2006

### **APPLICABLE REGULATIONS:**

Refer to GROUP REQUIREMENTS.

#### **1. Operating Limitations:**

- A. The gallons of coating applied at Emission Unit 01 shall not exceed 3,143 gallons per year.  
Compliance Demonstration Method: Refer to monitoring and recordkeeping requirements.
- B. Refer to GROUP REQUIREMENTS.

#### **2. Emission Limitations:**

Refer to GROUP REQUIREMENTS.

#### **3. Testing Requirements:**

Refer to GROUP REQUIREMENTS.

#### **4. Monitoring Requirements:**

Refer to GROUP REQUIREMENTS.

#### **5. Recordkeeping Requirements:**

Refer to GROUP REQUIREMENTS.

#### **6. Reporting Requirements:**

Refer to GROUP REQUIREMENTS.

## **SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

### **Emission Unit 02 (02)            Sealer Paint Booth**

**Description:** Sealer Paint Booth for the coating of wood furniture. Coating is applied with two (2) conventional spray applicators (air gun). The maximum coating application rate is 10 gallons per hour. The sealer application operation is process limited to spraying 80 linear feet of wood per hour with a coverage rate of 175 linear feet per gallon resulting in 401 hours of spraying per year. The booth is equipped with panel filters for control of particulate emissions.

Construction Date: June, 2006

### **APPLICABLE REGULATIONS:** Refer to GROUP REQUIREMENTS.

#### **1. Operating Limitations:**

- A. The gallons of coating applied at Emission Unit 02 shall not exceed 4,005 gallons per year.  
Compliance Demonstration Method: Refer to monitoring and recordkeeping requirements.
- B. Refer to GROUP REQUIREMENTS.

#### **2. Emission Limitations:**

Refer to GROUP REQUIREMENTS.

#### **3. Testing Requirements:**

Refer to GROUP REQUIREMENTS.

#### **4. Monitoring Requirements:**

Refer to GROUP REQUIREMENTS.

#### **5. Recordkeeping Requirements:**

Refer to GROUP REQUIREMENTS.

#### **6. Reporting Requirements:**

Refer to GROUP REQUIREMENTS.

## **SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

### **Emission Unit 03 (03)          Varnish Paint Booth**

**Description:** Varnish Paint Booth for the coating of wood furniture. Coating is applied with one (1) conventional spray applicator (air gun). The maximum coating application rate is 10 gallons per hour. The varnish application operation is process limited to spraying 80 linear feet of wood per hour with a coverage rate of 116 linear feet per gallon resulting in 604 hours of spraying per year. The booth is equipped with panel filters for control of particulate emissions.

Construction Date: June, 2006

#### **APPLICABLE REGULATIONS:**

Refer to GROUP REQUIREMENTS.

#### **1. Operating Limitations:**

- A. The gallons of varnish applied at Emission Unit 03 shall not exceed 5,437 gallons per year.  
Compliance Demonstration Method: Refer to monitoring and recordkeeping requirements.
- B. Refer to GROUP REQUIREMENTS.

#### **2. Emission Limitations:**

Refer to GROUP REQUIREMENTS.

#### **3. Testing Requirements:**

Refer to GROUP REQUIREMENTS.

#### **4. Monitoring Requirements:**

Refer to GROUP REQUIREMENTS.

#### **5. Recordkeeping Requirements:**

Refer to GROUP REQUIREMENTS.

#### **6. Reporting Requirements:**

Refer to GROUP REQUIREMENTS.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Emission Unit 04 (05)                      Woodworking Dust Collection**

**Description:** 30 hp Delta Cyclone for control of wood waste generated from furniture manufacture.  
**Date Installed:** 2000

### **Emission Unit 05 (06)                      Woodworking Dust Collection**

**Description:** 7 hp Delta Cyclone for control of wood waste generated from furniture manufacture.  
**Date Installed:** 2000

#### **Applicable Regulations:**

401 KAR 59:010, New process operations applicable to each affected facility associated with a process operation which is not subject to another emission standard with respect to particulates in Chapter 59 of 401 KAR commenced on or after July 2, 1975.

#### **1. Operating Limitations:**

The usage rate of materials used in all affected facilities shall be limited so as to not exceed the emission limitations in Section B2.

#### **2. Emission Limitations:**

- A. 401 KAR 59:010 § 3(1) Opacity Standard: The opacity of continuous emissions from a control device or stack shall be less than twenty (20) percent opacity.
- B. 401 KAR 59:010 § 3(2) Mass Standard: Particulate matter emissions from a control device or stack shall not exceed 2.34 pounds per hour.

#### **Compliance Demonstration Method:**

Compliance with the opacity and mass standards shall be assumed when the cyclones are in place and operating efficiently.

#### **3. Testing Requirements:**

- A. If the Division requires it, permittee shall perform a Reference Method 5 test, or other methods approved by the Division, to determine the emission rate of particulate matter.  
[401 KAR 59:010, § 4(1) Test Methods and Procedures]
- B. If the Division requires it, the permittee shall perform a Reference Method 9 test to determine the opacity of continuous emissions.  
[401 KAR 59:010, § 4 (5) Test Methods and Procedures]

#### **4. Monitoring Requirements:**

- A. The permittee shall monitor the pounds of wood waste collected monthly.
- B. Process and emission control equipment at each affected facility subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

#### **5. Recordkeeping Requirements:**

- A. The permittee shall maintain monthly records of the pounds of wood waste collected by each unit.
- B. Those specified above in Monitoring Requirements.

#### **6. Reporting Requirements: None.**

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Emission Unit 06 (07)                      Grinding Booth**

**Description:** Grinding booth where rough edges are finished off by hand grinding / finishing tools. Grinding is conducted within a three sided booth enclosure.

**Date Installed:** 2002

#### **Applicable Regulations:**

401 KAR 59:010, New process operations applicable to each affected facility associated with a process operation which is not subject to another emission standard with respect to particulates in Chapter 59 of 401 KAR commenced on or after July 2, 1975.

#### **1. Operating Limitations:**

Grinding shall be conducted within the enclosure at all times.

#### **2. Emission Limitations:**

A. 401 KAR 59:010 § 3(1) Opacity Standard: The opacity of continuous emissions from a control device or stack shall be less than twenty (20) percent opacity.

B. 401 KAR 59:010 § 3(2) Mass Standard: Particulate matter emissions from a control device or stack shall not exceed 2.34 pounds per hour.

#### **Compliance Demonstration Method:**

Compliance with the opacity and mass standards will be assumed when the grinding takes place inside the three-sided enclosure.

#### **3. Testing Requirements:**

None

#### **4. Monitoring Requirements:**

Process and emission control equipment at each affected facility subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

#### **5. Recordkeeping Requirements:**

Only those specified above in Monitoring Requirements.

#### **6. Reporting Requirements:**

None

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Group Requirements****LIST of POINTS****Emission Unit 01 (01)****Stain / Glaze Paint Booth****Emission Unit 02 (02)****Sealer Paint Booth****Emission Unit 03 (03)****Varnish Paint Booth**

**Description:** Wood furniture surface coating operations including thinner and clean-up solvent usage.

**Applicable Regulations:**

401 KAR 59:010, New process operations applicable to each affected facility associated with a process operation which is not subject to another emission standard with respect to particulates in Chapter 59 of 401 KAR commenced on or after July 2, 1975.

401 KAR 63:002, Incorporation by reference, 40 CFR 63.800 to 63.808 (Subpart JJ), "National Emission Standards for Wood Furniture Manufacturing Operations".

**1. Operating Limitations:**

The paint spray booth exhaust filters shall be in place and operating efficiently during surface coating operations.

**2. Emission Limitations:**

- A. 401 KAR 59:010 § 3(1) Opacity Standard: The opacity of continuous emissions from a control device or stack shall be less than twenty (20) percent opacity.
- B. 401 KAR 59:010 § 3(2) Mass Standard: Particulate matter emissions from a control device or stack shall not exceed 2.34 pounds per hour.
- C. 40 CFR 63 Subpart JJ, § 63.800 (b) (3): The source shall emit no more than 5 tons of any one HAP per rolling 12-month period and no more than 12.5 tons of any combination of HAP per rolling 12-month period and at least 90 percent of the plantwide emissions per rolling 12-month period shall be associated with the manufacture of wood furniture or wood furniture components. A source that complies with the limits and criteria specified above shall be an area source for the purposes of Subpart JJ and is not subject to any other provisions of Subpart JJ. A source that initially relies on the limits and criteria specified above to become an area source, but subsequently exceeds the relevant limit (without first obtaining and complying with other limits that keep its potential to emit of hazardous air pollutants below major source levels), becomes a major source and must comply thereafter with all applicable provisions of Subpart JJ.

**Compliance Demonstration Methods:****(1) Opacity Standard:**

Compliance with the opacity standard shall be determined by conducting a qualitative visual observation of the opacity of emissions at each stack no less than weekly and maintaining a log of the observations. If visible emissions from the stacks are seen (not including condensed water in the plume), then an inspection of control equipment shall be initiated and corrective action taken. If visible emissions are present after the corrective action, the process shall be shut down and shall not operate again until repairs have been made that result in no visible emissions from the process during operation.



**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****2. Emission Limitations (Continued):**

In lieu of shutting the process down, the permittee may determine the opacity using Reference Method 9. If the opacity limit is not exceeded, the process may continue to operate.

**(2) Mass Standard:**

Compliance with the mass standard will be assumed when exhaust filters are in place unless testing is required.

**(3) Individual and Combined HAP Emission Limits:**

Emissions of individual HAP from a material may be determined by the following equation:

$$E_x = Q * d * \frac{wt\%_x}{100}$$

Where:

$E_x$  = Emissions of HAP species "x" (lb/month)

Q = Material usage rate (gal/month)

d = Density of the material used (lb/gal)

wt% = Weight percent of HAP species "x" in material (%)

Emissions of combined HAP may be determined by the following equation:

$$E_{HAP} = \sum_{i=1}^n E_{HAPi}$$

Where:

$E_{HAP}$  = Emissions of combined HAP from all materials used (lb/month)

$E_{HAPi}$  = Emissions of HAP from material "i" (lb/month)

n = number of materials used (e.g., stains, glazes, catalysts, varnishes, lacquers, sealers, thinners)

**3. Testing Requirements:**

A. If the Division requires it, permittee shall perform a Reference Method 5 test, or other methods approved by the Division, to determine the emission rate of particulate matter.

[401 KAR 59:010, § 4(1) Test Methods and Procedures]

B. If the Division requires it, the permittee shall perform a Reference Method 9 test to determine the opacity of continuous emissions.

[401 KAR 59:010, § 4 (5) Test Methods and Procedures]

C. If the Division requires it, the permittee shall verify the volatile HAP content of the coatings used at the affected facilities using U.S. EPA approved test methods.

**4. Monitoring Requirements:**

A. The permittee shall monitor coating usage (e.g. stains, glazes, sealers, varnishes, catalysts) in gallons monthly.

B. The permittee shall monitor thinner and clean-up solvent usage in gallons monthly.

C. The permittee shall monitor opacity from each stack weekly during periods of operation as specified in Compliance Demonstration Method (1) above.

D. The permittee shall monitor filter condition weekly during periods of operation.

E. The permittee shall monitor the monthly and 12-month rolling total emissions of individual and combined HAP.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **5. Recordkeeping Requirements:**

- A. The permittee shall maintain monthly records of coating usage in gallons.
- B. The permittee shall maintain monthly records of thinner and clean-up solvent usage in gallons.
- C. The permittee shall maintain records of corrective actions taken as a result of seeing visible emissions from a stack, including date and time.
- D. The permittee shall maintain records of Method 9 readings performed.
- E. The permittee shall maintain records of filter replacements, including date and time.
- F. The permittee shall maintain monthly and 12-month rolling total records of the emissions of individual and combined HAP. These records, as well as purchase orders and invoices for all HAP containing materials, shall be maintained on site for a period of five years from the date the data was collected and shall be provided to the Division upon request.

### **6. Reporting Requirements:**

The semiannual monitoring reports required by this permit (see Section C (3) (c)) shall be required to contain only records of the following:

- A. Monthly records the usage of individual coating components and thinners in gallons, broken down by usage for each emission unit.
- B. Monthly and 12-month rolling total records of source-wide individual and combined HAP emissions.
- C. Records of visible emissions from stacks during the reporting period, including time and date.

## SECTION C - GENERAL CONDITIONS

### 1. Administrative Requirements

- a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:040, Section 3(1)(b) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
- b. This permit shall remain in effect for a fixed term of ten (10) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division. [401 KAR 52:040, Section 15]
- c. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- d. Pursuant to materials incorporated by reference by 401 KAR 52:040, this permit may be revised, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance shall not stay any permit condition [Section 1a-4, 5, of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- e. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- f. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:040 Section 11(3)].
- g. This permit shall be subject to suspension at any time the permittee fails to pay all fees within 90 days after notification as specified in 401 KAR 50:038, Air emissions fee. The permittee shall submit an annual emissions certification pursuant to 401 KAR 52:040, Section 20.

**SECTION C - GENERAL CONDITIONS (CONTINUED)****2. Recordkeeping Requirements**

- a. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of at least five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:040 Section 3(1)(f) and Section 1b-IV-2 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- b. The permittee shall perform compliance certification and recordkeeping sufficient to assure compliance with the terms and conditions of the permit. Documents, including reports, shall be certified by a responsible official pursuant to 401 KAR 52:040, Section 21.

**3. Reporting Requirements**

- a. (1) In accordance with the provisions of 401 KAR 50:055, Section 1, the permittee shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - i. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - ii. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
- (2) The permittee shall promptly report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Reporting Requirement condition a.(1) above), the probable cause of the deviation, and corrective or preventive measures taken; to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report [Section 1b-V-3 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- b. The permittee shall furnish information requested by the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the permit [Section 1a-6 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- c. Summary reports of monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation. The summary reports

**SECTION C - GENERAL CONDITIONS (CONTINUED)**

are due January 30th and July 30th of each year. All deviations from permit requirements shall be clearly identified in the reports. All reports shall be certified by a responsible official pursuant to 401 KAR 52:040, Section 21.

**4. Inspections**

In accordance with the requirements of 401 KAR 52:040, Section 3(1)(f) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency:

- a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation.
- b. To access and copy any records required by the permit.
- c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit.
- d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

**5. Emergencies/Enforcement Provisions**

- a. The permittee shall not use as defense in an enforcement action, the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- b. An emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
  - (1) An emergency occurred and the permittee can identify the cause of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
  - (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency and included a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
- c. Emergency provisions listed in General Condition 5.b are in addition to any emergency or upset provision contained in an applicable requirement [401 KAR 52:040, Section 22(1)].
- d. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:040, Section 22(2)].

**SECTION C - GENERAL CONDITIONS (CONTINUED)****6. Compliance**

- a. Periodic testing or instrumental or non-instrumental monitoring, which may consist of record keeping, shall be performed to the extent necessary to yield reliable data for purposes of demonstration of continuing compliance with the conditions of this permit. For the purpose of demonstration of continuing compliance, the following guidelines shall be followed:
  - (1) Pursuant to 401 KAR 50:055, General compliance requirements, Section 2(5), all air pollution control equipment and all pollution control measures proposed by the application in response to which this permit is issued shall be in place, properly maintained, and in operation at any time an affected facility for which the equipment and measures are designed is operated, except as provided by 401 KAR 50:055, Section 1.
  - (2) All the air pollution control systems shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers. A log shall be kept of all routine and nonroutine maintenance performed on each control device. Daily observations are required during daylight hours of all operations, control equipment and any visible emissions to determine whether conditions appear to be either normal or abnormal. If the operations, controls and/or emissions appear to be abnormal, the permittee must then comply with the requirements of Section C – General Conditions, 3.a.(2), of this permit.
  - (3) A log of the monthly raw material consumption and monthly production rates shall be kept available at the facility. Compliance with the emission limits may be demonstrated by computer program, spread sheets, calculations or performance tests as may be specified by the Division [401 KAR 50:055, Section 2].
- b. Pursuant to 401 KAR 52:040, Section 19, the permittee shall certify compliance with the terms and conditions contained in this permit by January 30th of each year, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Regional Office listed on the front of this permit in accordance with the following requirements:
  - (1) Identification of the term or condition;
  - (2) Compliance status of each term or condition of the permit;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The method used for determining the compliance status for the source, currently and over the reporting period, and
  - (5) For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

**SECTION C - GENERAL CONDITIONS (CONTINUED)**

- (6) The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

Division for Air Quality  
London Regional Office  
875 S. Main Street  
London, KY 40741

Division for Air Quality  
Central Files  
803 Schenkel Lane  
Frankfort, KY 40601-1403

- c. Permit Shield - A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with all:
- (1) Applicable requirements that are included and specifically identified in this permit; or
  - (2) Non-applicable requirements expressly identified in this permit [401 KAR 52:040, Section 11].